

FILED  
UNITED STATES DISTRICT COURT  
CLERK'S OFFICE

DISTRICT OF MASSACHUSETTS

2004 JAN 29 P 2:12

UNITED STATES OF AMERICA )

V. )

CHARLES A. GUIDA )

M.B.D. DISTRICT COURT  
DISTRICT OF MASS.

JOINT MOTION OF THE PARTIES TO EXCLUDE TIME

Defendant Charles A. Guida ("Guida") is currently charged by way of complaint in MJ03-M-253-JLA with possessing child pornography, in violation of 18 U.S.C. §2252(a)(4)(B). Herein, the parties jointly move to exclude a period of time (44 days) from the time within which the government would otherwise have to obtain an indictment or file an information. Guida first appeared before Magistrate Judge Alexander on January 6, 2004. His preliminary examination is scheduled for January 28, 2004, but will be waived or continued at his request. Since the initial appearance, the government has provided Guida with early automatic discovery, and made the forensic analysis of computer system seized in this case available for his attorney's review. The requested 44 day exclusion (January 29, 2004 to March 12, 2004) may permit the parties to reach such an agreement before the government is required to or inclined to seek an indictment.

Herein, both parties move, under 18 U.S.C. §3161(h)(8)(A), and §5(c)(1)(A) of Plan for Prompt Disposition of Criminal Cases of this Court, that this Court find, based on the above, that the ends of justice served by granting the requested exclusion

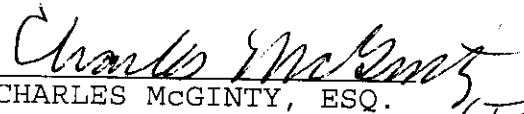
outweigh the best interest of the public and the defendant in a speedy trial, and, accordingly, exclude the requested 62 days in computing the time within which an information or an indictment must be filed under 18 U.S.C. §3161(b).


Respectfully submitted,

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By His Attorney

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January 29, 2004